

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 2457**

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**Introduced by Assembly Member Valadao**

February 24, 2012

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~~An act to amend Section 25143.6 of the Health and Safety Code, relating to hazardous waste. An act to add and repeal Section 42173 of the Public Resources Code, relating to solid waste.~~

### LEGISLATIVE COUNSEL'S DIGEST

AB 2457, as amended, Valadao. ~~Hazardous waste: shredder waste. Solid waste: vehicles: appliances.~~

The California Integrated Waste Management Act of 1989 requires materials that require special handling, as defined, to be removed from major appliances and vehicles in which they are contained prior to crushing for transport or transferring to a baler or shredder for recycling. Recycling residue used as solid waste landfill daily cover is required to meet certain performance standards and requirements specified in the regulations adopted by the Department of Resources Recycling and Recovery (*CalRecycle*). ~~The hazardous waste control laws require specified California regional water quality control boards to prepare, by February 15, 1988, a list of class III landfills authorized to accept and dispose of shredder waste.~~

~~This bill would delete and correct obsolete references in these provisions:~~

*This bill would require CalRecycle, by March 31, 2013, to conduct a study of the logging of discarded vehicles and appliances, as defined, and would require the Director of CalRecycle to submit the report to the Legislature, by October 31, 2013, including recommendations as*

*necessary to ensure the sustainability of the California auto shredding industry. The bill would make this report requirement inoperative on October 31, 2017, and would repeal the provision on January 1, 2018.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. The Legislature finds and declares all of the*  
2     *following:*

3     *(a) Companies engaged in the shredding of end-of-life vehicles,*  
4     *major appliances, and other recyclable metal products in*  
5     *California provide an important service to the residents of the*  
6     *State of California by ensuring that millions of vehicles and*  
7     *appliances, and millions of tons of miscellaneous scrap metal, that*  
8     *are discarded every year in the state are beneficially recycled in*  
9     *a manner that is protective of human health and the environment.*

10    *(b) Scrap metal recycling operations conserve valuable landfill*  
11    *space, prevent the landscape from becoming littered with*  
12    *abandoned vehicles and appliances, and reduce the need to mine*  
13    *ore from the ground in order to manufacture steel and other new*  
14    *metal products. The scrap metal recycling industry is also a*  
15    *significant source of jobs and a major contributor to the state's*  
16    *economy.*

17    *(c) In recent years, other companies have begun to purchase*  
18    *end-of-life vehicles and appliances and use portable equipment to*  
19    *compact them into "logs" without first having properly drained*  
20    *automotive fluids from the vehicles and appliances, removed*  
21    *mercury switches as required by law, or otherwise "de-polluted"*  
22    *these items. The logs are placed in seagoing containers, along*  
23    *with all wastes generated from the logging process, and are*  
24    *exported overseas for shredding in other countries. These*  
25    *companies compete unfairly with the California auto shredders*  
26    *for vehicles and appliances and pose a serious threat to public*  
27    *health and the environment.*

28    *(d) The companies that engage in the "logging" operations*  
29    *specified in subdivision (c) do not comply with California*  
30    *environmental standards and enjoy a significant economic benefit*  
31    *by avoiding environmental compliance costs. It is contrary to the*  
32    *policy of the State of California to allow the export of vehicles and*

1 *appliances that have not been de-polluted, resulting in potential*  
2 *exposure of individuals and the environment to harmful substances*  
3 *when these items are logged and transported in California and*  
4 *California waters.*

5 *SEC. 2. Section 42173 is added to the Public Resources Code,*  
6 *to read:*

7 *42173. (a) For purposes of this section “logging” means the*  
8 *purchase end-of-life vehicles and appliances and the use of*  
9 *portable equipment to compact the end-of-life vehicles or*  
10 *appliances into logs without draining automotive fluids from the*  
11 *vehicles, or removing mercury switches and other materials that*  
12 *require special handling from the vehicles and appliances, and*  
13 *subsequently transporting those materials within the state, for*  
14 *eventual export to a foreign county for the shredding and recovery*  
15 *of metals.*

16 *(b) On or before March 31, 2013, the department shall conduct*  
17 *a study of the logging of discarded vehicles and appliances. The*  
18 *study shall address the environmental risks associated with the*  
19 *logging of vehicles and appliances that have not been handled in*  
20 *accordance with the requirements of Section 42175 prior to*  
21 *compaction, the effect that logging and foreign export of these*  
22 *vehicles and appliances have on the California auto shredding*  
23 *industry, and any other effects of logging on commerce and waste*  
24 *management in California.*

25 *(c) On or before October 31, 2013, the director shall submit a*  
26 *report to the Legislature on the findings of the study required by*  
27 *subdivision (b) and shall present recommendations as necessary*  
28 *to ensure the sustainability of the California auto shredding*  
29 *industry.*

30 *(d) The department shall perform the tasks specified in*  
31 *subdivisions (b) and (c) using existing staff and resources.*

32 *(e) A report to the Legislature pursuant to this section shall be*  
33 *submitted in compliance with Section 9795 of the Government*  
34 *Code.*

35 *(f) This section shall remain operative only until October 31,*  
36 *2017, and as of January 1, 2018, is repealed, unless a later enacted*  
37 *statute, that is enacted before January 1, 2018, deletes or extends*  
38 *that date.*

39 ~~SECTION 1. Section 25143.6 of the Health and Safety Code~~  
40 ~~is amended to read:~~

1     ~~25143.6. The following California regional water quality~~  
2     ~~control boards shall prepare a list of class III landfills, as specified~~  
3     ~~in Article 2 (commencing with Section 20200) of Title 27 of the~~  
4     ~~California Code of Regulations, including at least one landfill in~~  
5     ~~each specified water quality control region that is authorized to~~  
6     ~~accept and dispose of shredder waste in accordance with State~~  
7     ~~Water Resources Control Board Resolution No. 87-22: San~~  
8     ~~Francisco Bay Region, Central Valley Region, Los Angeles~~  
9     ~~Region, Santa Ana Region, and San Diego Region.~~

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